

REMARKS / ARGUMENTS

Claims 1-3 and 6-15 remain pending in this application.

Priority

Applicants request acknowledgment of the claim for priority in this case. The priority document was filed at the International Phase of this application.

Information Disclosure Statement

On September 2, 2001 Applicants filed an Information Disclosure Statement. On the initialed PTO-1449 Form returned with the Office Action, the Examiner crossed off reference AL and wrote "No Characterization". However, this reference was discussing the specification for the initial setting of parameters with a keyboard. Applicants are re-submitting this document with an English language abstract for the Examiner's consideration.

**Request for a New Office Action and
Reset of the Statutory Time Period to Respond**

In the previously filed Response, claim 1 was amended to incorporate the limitations of claims 4 and 5. In addition, some minor changes were made for purposes of satisfying 35 U.S.C. §112. As such, Applicants did not add further

limitations to the claims that were not previously pending in the claims that would necessitate a new ground of rejection based on newly cited references.

The prior rejection was based upon EP 0510686. This rejection has apparently been withdrawn. A new rejection has been raised with respect to newly cited references to Fritchie et al and Bevirt et al, which are discussed below. Such a rejection based upon newly cited art, not necessitated by amendment, cannot be made Final. The withdrawal of the finality of the outstanding Office Action is hereby requested.

Request for Interview

As requested in the previously filed Response, Applicants once again request that the Examiner conduct an interview with the undersigned in order to permit explanation as to why the present invention is patentable over the cited art.

35 U.S.C. §102

Claims 1-3 and 6-12 stand rejected under 35 U.S.C. §102(e) as being anticipated by Fritchie et al (U.S. Patent No. 6,022,746). Claims 1-3, 6 and 12 stand rejected under 35 U.S.C. §102(e) as being anticipated by Bevirt et al (U.S. Patent No. 2002/0150450). These rejections are traversed as follows.

It is submitted that the Examiner has not adequately established the basis for rejecting the claims based upon the comments contained in the Office Action. The

Examiner states that Fritchie et al disclose a system software that tracks reagent inventory and notifies a user when needed and also tracks calibration status of test and lot numbers for each instrument. The Examiner states that Bevirt et al disclose a computer inventory system that tracks all samples and reagents. It is respectfully submitted that such statements do not address the limitations of the currently pending claims.

As mentioned in the previously filed Response, claim 1 has been amended to incorporate the limitations of claims 4 and 5. According to the method recited in claim 1, a service center has a database connected to a plurality of automatic analyzing apparatuses used in a plurality of facilities through communication lines for storing analysis parameters related to a plurality of reagents. In response to a request from one automatic analyzing apparatus, analyses parameters for a testing item to be analyzed using a reagent is transferred to this one automatic analyzing apparatus. Furthermore, in response to this request, the service center creates a list of reagents available in this one automatic analyzing apparatus from information on reagents stored in the database and supplies the same through the communication lines. In response to a selection of an associated reagent from the list made by a user of this one automatic analyzing apparatus, the server center transfers analysis parameters for a testing item to be analyzed using the selected reagent to this one automatic analyzing apparatus through the communications lines.

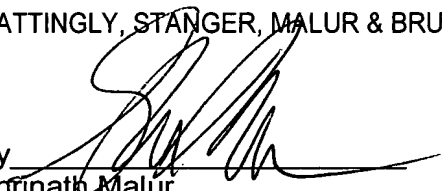
It is submitted that these features of the present invention are not disclosed by the newly cited references. As such, it is submitted that the pending claims patentably define the present invention over the cited art.

Conclusion

In view of the foregoing, Applicant respectfully requests that a timely Notice of Allowance be issued in this case.

Respectfully submitted,

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